



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Permit No.: VA0063843
Effective Date: September 20, 2009
Expiration Date: September 19, 2014

AUTHORIZATION TO DISCHARGE UNDER THE VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM

AND

THE VIRGINIA STATE WATER CONTROL LAW

In compliance with the provisions of the Clean Water Act as amended and pursuant to the State Water Control Law and regulations adopted pursuant thereto, the following owner is authorized to discharge in accordance with the effluent limitations, monitoring requirements, and other conditions set forth in this permit.

Owner: Town of Gretna
Facility Name: Gretna STP
City: NA
County: Pittsylvania
Facility Location: 940 Millstream Drive, Pittsylvania County, Virginia

The owner is authorized to discharge to the following receiving stream:

Stream: Georges Creek
River Basin: Roanoke River
River Subbasin: Roanoke River
Section: 2
Class: III
Special Standards: None

The authorized discharge shall be in accordance with this cover page, Part I - Effluent Limitations and Monitoring Requirements and Part II - Conditions Applicable To All VPDES Permits, as set forth herein.

Director, Department of Environmental Quality

Date

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning with the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge from outfall serial number 001.

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS						MONITORING REQUIREMENTS	
	MONTHLY AVERAGE		WEEKLY AVERAGE		MINIMUM	MAXIMUM	FREQUENCY	SAMPLE TYPE
	mg/l*	kg/day*	mg/l*	kg/d*	mg/l*	mg/l*		
Flow (MGD) [a]	NL		NA		NA	NL	Continuous	TIRE
pH (standard units)	NA		NA		6.0	9.0	1/Day	Grab
cBOD ₅	25.0	64.8	37.5	97.2	NA	NA	3 Days/Week	8-HC
Total Suspended Solids	30.0	77.8	45.0	116.7	NA	NA	3 Days/Week	8-HC
Total Kjeldahl Nitrogen (as N)	15.0	38.9	22.5	58.3	NA	NA	3 Days/Week	8-HC
Dissolved Oxygen	NA		NA		7.0	NA	1/Day	Grab
<i>E. coli</i> (N/CML - geometric mean) [b]	126		NA		NA	NA	1/Week	Grab
Dissolved Copper (ug/l) [c]	NL	NA	NL	NA	NA	NA	1/ 6 Months	Grab
Dissolved Nickel (ug/l) [c]	NL	NA	NL	NA	NA	NA	1/ 6 Months	Grab
Dissolved Zinc (ug/l) [c]	NL	NA	NL	NA	NA	NA	1/ 6 Months	Grab

* = UNLESS OTHERWISE NOTED NA = NOT APPLICABLE NL = NO LIMIT, MONITORING REQUIREMENT ONLY

TIRE = TOTALIZING, INDICATING AND RECORDING EQUIPMENT

1/6 Months = In accordance with the following schedule: 1st half (January 1 - June 30, **due July 10**); 2nd half (July 1 - December 31, **due January 10**) for a total number of 10 dissolved analyses, per pollutant (Cu, Zn, & Ni), per permit term.

[a] See Part I.B.6. for additional flow requirements.

[b] Samples shall be taken between the hours of 10:00 a.m. and 4:00 p.m.

[c] See Parts I.B.7.a. and I.B.7.b. for quantification levels and reporting requirements, respectively.

The design flow of this treatment facility is 0.685 MGD.

At least 85% removal for BOD₅ and TSS must be attained for this effluent.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

2. During the period beginning with the issuance of the CTO for the expanded plant and lasting until the permit expiration date, the permittee is authorized to discharge from outfall serial number 001.

Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS						MONITORING REQUIREMENTS	
	MONTHLY AVERAGE		WEEKLY AVERAGE		MINIMUM	MAXIMUM	FREQUENCY	SAMPLE TYPE
	mg/l*	kg/day*	mg/l*	kg/d*	mg/l*	mg/l*		
Influent Flow (MGD) [a]	NL	NL	NL	NL			Continuous	TIRE
Effluent Flow (MGD)	NL	NL	NL	NL			Continuous	TIRE
cBOD5	20	26.5	30	39.7	NA	NA	3 D-Days/Week	8-HC
Total Suspended Solids	30	39.7	45	59.6	NA	NA	3 D-Days/Week	8-HC
Ammonia [c]	10.3	NA	10.3	NA	NA	NA	1/Month	8-HC
Total Residual Chlorine (µg/l) [b] [c]	22.3	NA	27.5	NA	NA	NA	1/D-Day	Grab
Dissolved Oxygen	NA	NA	NA	NA	6.0	NA	1/D-Day	Grab
pH (standard units)	NA	NA	NA	NA	6.0	9.0	1/D-Day	Grab
Total Kjeldahl Nitrogen	16	103	24	154.5	NA	NA	1/2 weeks	8-HC
Total Recoverable Copper (µg/l) [c]	18	NA	18	NA	NA	NA	1/Month	8-HC

* = UNLESS OTHERWISE NOTED NA = NOT APPLICABLE NL = NO LIMIT, MONITORING REQUIREMENT ONLY
TIRE = TOTALIZING, INDICATING AND RECORDING EQUIPMENT

[a] See Part I.C.6. for additional flow requirements.

[b] See Part I.B. for additional chlorine monitoring instructions.

[c] See Parts I.C.7.a. and I.C.7.b. for quantification levels and reporting requirements, respectively.

- The design flow of this treatment facility is 0.35 MGD.
- At least 85% removal for BOD5 and TSS must be attained for this effluent.
- There shall be no discharge of floating solids or visible foam in other than trace amounts.

A. GROUNDWATER LIMITATIONS AND MONITORING REQUIREMENTS

3. During the period beginning with the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to monitor groundwater from monitoring wells number 1, 2, 3, 4, and 5.

Groundwater shall be limited and monitored by the permittee as specified below:

PARAMETER	LIMITATIONS	UNITS	MONITORING REQUIREMENTS	
			FREQUENCY	SAMPLE TYPE
Static Water Level	NL	0.01 FT	1/Year	Measured
pH (standard units)	NL	SU	1/Year	Grab
Specific Conductance	NL	µmhos/cm	1/Year	Grab
Nitrate Nitrogen (NO ₃)	NL	mg/l	1/Year	Grab
Total Organic Carbon (TOC)	NL	mg/l	1/Year	Grab
Chlorides	NL	mg/l	1/Year	Grab
Ammonia Nitrogen	NL	mg/l	1/Year	Grab

NL = NO LIMIT, MONITORING REQUIREMENT ONLY

1/Year = Between January 1 and December 31, due January 10 of following year.

Grab samples - An individual sample should be taken after three (3) well volumes of groundwater are removed (allowing the well to recharge between each well volume removed) or until well purging parameters (i.e. pH, temperature, and specific conductance) stabilize to $\pm 10\%$. The bailer or hose used should not contaminate samples.

During the period beginning with the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge from outfall serial number 001.

B. ADDITIONAL TOTAL RESIDUAL CHLORINE (TRC) LIMITATIONS AND MONITORING REQUIREMENTS

1.
 - a. The permittee shall monitor the TRC at the outlet of the chlorine contact tank, prior to terrace distribution, three (3) times per day at 4-hour intervals by grab sample.
 - b. No more than 9 of all samples taken after the chlorine contact tank, prior to terrace distribution, shall be less than 1.5 mg/l for any one calendar month.
 - c. No TRC sample collected after the chlorine contact tank, prior to terrace distribution, shall be less than 0.6 mg/l.
2. If an alternative to chlorination as a disinfection method is chosen, *E. coli* shall be limited and monitored by the permittee as specified below:

	<u>Discharge Limitations</u>	<u>Monitoring Requirements</u>	
	<u>Monthly Average</u>	<u>Frequency</u>	<u>Sample Type</u>
<i>E. coli</i> (n/100 ml)	126*	1 Day/week	Grab (Between 10 AM & 4 PM)

The above requirements, if applicable, shall substitute for the TRC requirements delineated in Parts I.A. and I.B.1 above.

* Geometric Mean

C. SCHEDULE OF COMPLIANCE (0.23 MGD Flow Tier)

The permittee shall achieve compliance with the final limitations and monitoring requirements for Total Recoverable Copper as specified in Part I.A. of this permit in accordance with the following schedule:

1. Submit Proposed Plan for Achievement of Compliance or Select a Design Engineer **No later than December 19, 2009**
2. Submit Progress Reports to the DEQ Regional Office **Quarterly after #1, with the first report due April 10, 2010.**
3. Achieve Compliance with Part I.A. Limitations **No later than October 1, 2013.**

Quarterly = In accordance with the following schedule: 1st quarter (January 1 - March 31, **due April 10**); 2nd quarter (April 1 - June 30, **due July 10**); 3rd quarter (July 1 - September 30, **due October 10**); 4th quarter (October 1 - December 31, **due January 10**).

No later than 14 calendar days following a date identified in the above schedule of compliance, the permittee shall submit to the DEQ Regional Office, either a **report of progress** or, in the case of specific actions being required by identified dates, a written **notice of compliance or noncompliance**. In the latter case, the notice shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement.

D. OTHER REQUIREMENTS OR SPECIAL CONDITIONS

1. Permit Reopeners

a. Sludge Reopener

This permit may be modified or, alternatively, revoked and reissued if any applicable standard for sewage sludge use or disposal promulgated under Section 405(d) of the Clean Water Act is more stringent than any requirements for sludge use or disposal in this permit, or controls a pollutant or practice not limited in this permit.

b. Total Maximum Daily Load (TMDL) Reopener

This permit shall be modified or, alternatively, revoked and reissued if any approved waste load allocation procedure, pursuant to section 303(d) of the Clean Water Act, imposes waste load allocations, limits or conditions on the facility that are not consistent with the requirements of this permit.

2. Licensed Wastewater Operator Requirement

The permittee shall employ or contract at least one Class III licensed wastewater works operator for the facility. The license shall be issued in accordance with Title 54.1 of the Code of Virginia and the regulations of the Board for Waterworks and Wastewater Works Operators. The permittee shall notify the DEQ Regional Office, in writing, whenever he is not complying, or has grounds for anticipating he will not comply with this requirement. The notification shall include a statement of reasons and a prompt schedule for achieving compliance.

3. Reliability Class Requirement

The permitted treatment works shall meet Reliability Class II.

4. Certificate to Construct (CTC) and Certificate to Operate (CTO) Requirements

The permittee shall, in accordance with the Sewage Collection and Treatment Regulations, obtain a CTC and a CTO from the DEQ prior to constructing wastewater treatment facilities and operating the facilities, respectively.

5. Operations and Maintenance (O & M) Manual

The permittee shall review the existing O & M Manual and notify the DEQ Regional Office, in writing, that it is still accurate and complete. If the O & M Manual is no longer accurate and complete, a revised O & M Manual shall be submitted for approval to the DEQ Regional Office. The permittee will maintain an accurate, approved O & M Manual for the treatment works. This manual shall include, but not necessarily be limited to, the following items, as appropriate:

- a. Treatment works design, operation, routine preventative maintenance of units within the treatment system, critical spare parts inventory and record keeping;
- b. Techniques to be employed in the collection, preservation and analysis of effluent samples;
- c. Procedures for handling, storing, and disposing of all wastes, fluids, and pollutants characterized in Part I.C.8. (Materials Handling and Storage) that will prevent these materials from reaching state waters.

Any changes in the practices and procedures followed by the permittee shall be documented and submitted for approval, as noted above, within 90 days of the effective date of the changes. Upon approval of the submitted manual changes, the revised manual becomes an enforceable part of this permit. Noncompliance with the O & M Manual shall be deemed a violation of the permit.

Letter/Revised Manual Due: No later than January 10, 2010.

6. 95% Design Capacity Notification

A written notice and a **plan of action** for ensuring continued compliance with the terms of this permit shall be submitted to the DEQ Regional Office when the monthly average flow influent to the sewage treatment plant reaches 95 percent of the design capacity authorized in this permit for each month of any three consecutive month period. The written notice shall be submitted within 30 days and the plan of action shall be received at the DEQ Regional Office **no later than 90 days from the third consecutive month for which the flow reached 95 percent of the design capacity.** The plan shall include the necessary steps and a prompt schedule of implementation for controlling any current or reasonably anticipated problem resulting from high influent flows. Failure to submit an adequate plan in a timely manner shall be deemed a violation of this permit.

7. Compliance Reporting Under Part I.A. and I.B.

a. Quantification Levels

- (1) The quantification levels (QL) shall be as follows:

<u>Effluent Characteristic</u>	<u>Quantification Level</u>
Chlorine	100 µg/l
Ammonia	0.2 mg/l
Copper	7.0 µg/l

- (2) The permittee may use any approved method which has a QL equal to or lower than the QL listed in a.(1) above. The QL is defined as the lowest concentration used to calibrate a measurement system in accordance with the procedures published for the method.
- (3) It is the responsibility of the permittee to ensure that proper QA/QC protocols are followed during the sampling and analytical procedures. QA/QC information shall be documented to confirm that appropriate analytical procedures have been used and the required QLs have been attained.
- (4) An appropriate analytic method for metals shall be selected from the following list of EPA methods, or any approved method in 40 CFR Part 136, which will achieve a QL that is less than or equal to the QL specified in a.(1) above.

<u>Metal</u>	<u>Analytical Methods</u>
Copper	220.1; 200.7; 220.2; 200.9; 1638; 1640; 200.8

b. Reporting

- (1) **Monthly Average** -- Compliance with the monthly average limitations and/or reporting requirements for the parameters listed in a.(1) above shall be determined as follows: All concentration data below the specified QL listed in a.(1) above shall be treated as zeros. All concentration data equal to or above the QL shall be treated as reported. An arithmetic average shall be calculated using all reported data, including the defined zeros, for the month. This arithmetic average shall be reported on the DMR as calculated. If all data are below the QL, then the average shall be reported as "<QL". If reporting for quantity is required on the DMR and the calculated concentration is <QL, then report "<QL" for the quantity; otherwise, use the calculated concentration to calculate the quantity.
- (2) **Daily maximum** -- Compliance with the daily maximum limitations and/or reporting requirements for the parameters listed in a.(1) above shall be determined as follows: All concentration data below the specified QL listed in a.(1) above shall be treated as zeros. All concentration data equal to or above the QL shall be treated as reported. An arithmetic average of the values shall be calculated using all reported data, including the defined zeros, collected within each day during the reporting month. The maximum value of these daily averages thus determined shall be reported on the DMR as the Daily Maximum. If all data for each daily maximum are below the QL, then the average shall be reported as <[QL]. If reporting for quantity is required on the DMR and the calculated concentration for each daily average is <QL, then report "<QL" for the quantity; otherwise, use the calculated maximum value of the daily averages to calculate the quantity.
- (3) Any single datum required shall be reported as "<QL" if it is less than the QL listed in a.(1) above. Otherwise, the numerical value shall be reported.

8. Materials Handling and Storage

Any and all product, materials, industrial wastes, and/or other wastes resulting from the purchase, sale, mining, extraction, transport, preparation and/or storage of raw or intermediate materials, final product, by-product or wastes, shall be handled, disposed of and/or stored in such a manner so as not to permit a discharge of such product, materials, industrial wastes and/or other wastes to State waters, except as expressly authorized.

9. Ground Water Monitoring Plan

The permittee shall revise the existing Ground Water Monitoring Plan in order to bring it into conformance with the requirements of this permit. The revised plan shall be submitted for approval to the DEQ Regional Office. The purpose of this plan will be to determine if the system integrity is being maintained and to indicate if activities at the site are resulting in violations of the Board's Ground Water Standards. The approved revised plan shall become an enforceable part of this permit. Any changes to the plan must be submitted for approval to the DEQ Regional Office.

If monitoring results indicate that any unit has contaminated the ground water, the permittee shall submit a corrective action plan within 60 days of being notified by the regional office. The plan shall set forth the steps to be taken by the permittee to ensure that the contamination source is eliminated or that the contaminant plume is contained on the permittee's property. In addition, based on the extent of contamination, a risk analysis may be required. Once approved, this plan and/or analysis shall become an enforceable part of this permit.

Revised Ground Water Monitoring Plan Due: No later than January 10, 2010.

10. Indirect Dischargers

The permittee shall provide adequate notice to the DEQ Regional Office of the following:

- a. Any new introduction of pollutants into the treatment works from an indirect discharger which would be subject to Section 301 or 306 of Clean Water Act and the State Water Control Law if it were directly discharging those pollutants; and
- b. Any substantial change in the volume or character of pollutants being introduced into the treatment works by a source introducing pollutants into the treatment works at the time of issuance of this permit.

Adequate notice shall include information on (i) the quality and quantity of effluent introduced into the treatment works, and (ii) any anticipated impact of the change on the quantity or quality of effluent to be discharged from the treatment works.

11. Sludge Management Plan

The permittee shall conduct all sewage sludge use or disposal activities in accordance with the Sludge Management Plan (SMP) approved with the issuance of this permit. Any **proposed changes** in the sewage sludge use or disposal practices or procedures followed by the permittee shall be documented and **submitted for Department of Environmental Quality and Department of Health approval 90 days prior to the effective date of the changes**. Upon approval, the revised SMP becomes an enforceable part of the permit. The permit may be modified or, alternatively, revoked and reissued to incorporate limitations or conditions necessitated by substantive changes in sewage sludge use or disposal practices.

12. Minimum Freeboard

The permittee shall ensure that all basins or lagoons maintain a minimum freeboard of one (1) foot at all times. Should the one-foot freeboard not be maintained, the permittee shall immediately notify the DEQ Regional Office, describing the problem and corrective measures taken to correct the problem. Within 5 days of the notification, the permittee shall submit a written statement of explanation and corrective measures taken.

13. Terrace Hydraulic Loading

Except as approved by the Department of Environmental Quality, no terrace shall receive hydraulic loadings (to include precipitation) in excess of 4 inches per week during the winter and 6 inches per week during the summer. Accurate records of hydraulic loading to each terrace shall be maintained and submitted each month with the DMR.

14. Annual Terrace Report

An annual summary report shall be submitted to the DEQ by February 10th of each year on the condition of the terraces and agronomic practices that occurred during the preceding year, including number of crop cuttings, estimated total crop yield (tons/acre) removed from the site, lime and fertilizer requirements, reseeding required, and a summary statement concerning groundwater quality.

15. Facility Closure Plan

If the permittee does not intend to apply for reissuance of this permit or if any part of the facility presently permitted will not be included in a future permit application, an **approvable closure plan** shall be submitted to the DEQ regional office **90 days before the facility is taken out of service**. The closure plan shall include a plan of action and a schedule.

16. Permit Application Requirement

In accordance with Part II. M. of this permit, a new and complete permit application shall be submitted for the reissuance of this permit.

Application Due: No later than 03/24/2014.

E. PRETREATMENT

1. The permittee's pretreatment program has been approved. The program is an enforceable part of this permit. The permittee shall:

- a. Submit to the DEQ Regional Office a survey of all Industrial Users discharging to the POTW. The information shall be submitted to the POTW on the DEQ's Discharger Survey Form or an equivalent form that includes the quantity and quality of the wastewater. Survey results shall include the identification of significant industrial users of the POTW.

Survey Due: No later than April 10, 2010.

In lieu of the survey, the permittee may elect to develop, submit for approval and implement the plan to continuously survey the industrial community in their jurisdiction.

2. Upon determination of receiving process wastewater from a Significant Industrial User* to this treatment works, the permittee shall:

- a. Notify the DEQ, in writing within five (5) days;
- b. Implement the approved pretreatment program that complies with the Clean Water Act, Water Control Law and State regulations;
- c. Submit to the DEQ Regional Office, an annual report that describes the permittee's program activities over the previous year. The annual report shall be submitted no later than January 31 of each year and shall include:
- (1) An updated list of the Significant Industrial Users* showing the categorical standards and local limits applicable to each.
 - (2) A summary of the compliance status of each Significant Industrial User with pretreatment standards and permit requirements.
 - (3) A summary of the number and types of Significant Industrial User sampling and inspections performed by the POTW.

- (4) All information concerning any interference, upset, VPDES permit or Water Quality Standards violations directly attributable to Significant Industrial Users and enforcement actions taken to alleviate said events.
 - (5) A description of all enforcement actions taken against Significant Industrial Users over the previous 12 months.
 - (6) A summary of any changes to the submitted pretreatment program that have not been previously reported to the DEQ Regional Office.
 - (7) A summary of the permits issued to Significant Industrial Users since the last annual report.
 - (8) POTW and self-monitoring results for Significant Industrial Users determined to be in significant non-compliance during the reporting period.
 - (9) Results of the POTW's influent/effluent/sludge sampling, not previously submitted to DEQ.
 - (10) Copies of newspaper publications of all Significant Industrial Users in significant non-compliance during the reporting period. This is due no later than March 31 of each year.
 - (11) Signature of an authorized representative.
- d. Submit any changes to the approved pretreatment program to the DEQ Regional Office and obtain approval before implementation of the changes.
- e. Ensure all Significant Industrial User's permits are issued and reissued in a timely manner and that the Significant Industrial User permits issued or reissued by the POTW are effective and enforceable.
- f. Inspect and sample all Significant Industrial Users at a minimum of once a year.
- (1) Sampling shall include all regulated parameters, and shall be representative of the wastewater discharged.
 - (2) Inspection of the Significant Industrial Users shall cover all areas which could result in wastewater discharge to the treatment works including manufacturing, chemical storage, pretreatment facilities, spill prevention and control procedures, hazardous waste generation and Significant Industrial User's self-monitoring and records.
- g. Implement the reporting requirements of Part VII of the VPDES Permit Regulation.
- h. Review the Enforcement Response Plan (ERP) and ensure it meets state and federal regulatory requirements. The approved ERP is an enforceable part of this permit and shall be implemented.
- i. Develop local limits or reevaluate local limits using current influent, effluent and sludge monitoring data and submit the data and results of the evaluation to the DEQ Regional Office within one year of the effective or modification date. All Significant Industrial Users shall be sampled at the end of any categorical process and at the entrance to the treatment works.

- j. Ensure that adequate resources are available to implement the approved program.
 - k. Meet all public participation requirements and annually public notice Significant Industrial Users in significant non-compliance with pretreatment standards and requirements for the previous 12 months.
3. The DEQ may require the POTW to institute changes to its pretreatment program:
- a. If the approved program is not implemented in a way satisfying the requirements of the Clean Water Act, Water Control Law or State regulations;
 - b. If problems such as pass-through, interference, water quality standards violations or sludge contamination develop or continue; and
 - c. If federal, state or local requirements change.
- A significant industrial user is one that:
 - Has a process wastewater (**) flow of 25,000 gallons or more per average workday;
 - Contributes a process wastestream which makes up 5-percent or more of the average dry weather hydraulic or organic capacity of the POTW;
 - Is subject to the categorical pretreatment standards; or
 - Has significant impact, either singularly or in combination with other Significant Dischargers, on the treatment works or the quality of its effluent.

** Excludes sanitary, non-contact cooling water and boiler blowdown.

CONDITIONS APPLICABLE TO ALL VPDES PERMITS

A. Monitoring

1. Samples and measurements taken as required by this permit shall be representative of the monitored activity.
2. Monitoring shall be conducted according to procedures approved under Title 40 Code of Federal Regulations Part 136 or alternative methods approved by the U.S. Environmental Protection Agency, unless other procedures have been specified in this permit.
3. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals that will insure accuracy of measurements.

B. Records

1. Records of monitoring information shall include:
 - a. The date, exact place, and time of sampling or measurements;
 - b. The individual(s) who performed the sampling or measurements;
 - c. The date(s) and time(s) analyses were performed;
 - d. The individual(s) who performed the analyses;
 - e. The analytical techniques or methods used; and
 - f. The results of such analyses.
2. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years, the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report or application. This period of retention shall be extended automatically during the course of any unresolved litigation regarding the regulated activity or regarding control standards applicable to the permittee, or as requested by the Board.

C. Reporting Monitoring Results

1. The permittee shall submit the results of the monitoring required by this permit not later than the 10th day of the month after monitoring takes place, unless another reporting schedule is specified elsewhere in this permit. Monitoring results shall be submitted to:

Virginia Department of Environmental Quality
South Central Regional Office
7705 Timberlake Road
Lynchburg, Virginia 24502

2. Monitoring results shall be reported on a Discharge Monitoring Report (DMR) or on forms provided, approved or specified by the Department.

3. If the permittee monitors any pollutant specifically addressed by this permit more frequently than required by this permit using test procedures approved under Title 40 of the Code of Federal Regulations Part 136 or using other test procedures approved by the U.S. Environmental Protection Agency or using procedures specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or reporting form specified by the Department.
4. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.

D. Duty to Provide Information

The permittee shall furnish to the Department, within a reasonable time, any information which the Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The Board may require the permittee to furnish, upon request, such plans, specifications, and other pertinent information as may be necessary to determine the effect of the wastes from his discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of the State Water Control Law. The permittee shall also furnish to the Department upon request, copies of records required to be kept by this permit.

E. Compliance Schedule Reports

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

F. Unauthorized Discharges

Except in compliance with this permit, or another permit issued by the Board, it shall be unlawful for any person to:

1. Discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances; or
2. Otherwise alter the physical, chemical or biological properties of such state waters and make them detrimental to the public health, or to animal or aquatic life, or to the use of such waters for domestic or industrial consumption, or for recreation, or for other uses.

G. Reports of Unauthorized Discharges

Any permittee who discharges or causes or allows a discharge of sewage, industrial waste, other wastes or any noxious or deleterious substance into or upon state waters in violation of Part II F; or who discharges or causes or allows a discharge that may reasonably be expected to enter state waters in violation of Part II F, shall notify the Department of the discharge immediately upon discovery of the discharge, but in no case later than 24 hours after said discovery. A written report of the unauthorized discharge shall be submitted to the Department, within five days of discovery of the discharge. The written report shall contain:

1. A description of the nature and location of the discharge;
2. The cause of the discharge;
3. The date on which the discharge occurred;
4. The length of time that the discharge continued;
5. The volume of the discharge;
6. If the discharge is continuing, how long it is expected to continue;
7. If the discharge is continuing, what the expected total volume of the discharge will be; and

8. Any steps planned or taken to reduce, eliminate and prevent a recurrence of the present discharge or any future discharges not authorized by this permit.

Discharges reportable to the Department under the immediate reporting requirements of other regulations are exempted from this requirement.

H. Reports of Unusual or Extraordinary Discharges

If any unusual or extraordinary discharge including a bypass or upset should occur from a treatment works and the discharge enters or could be expected to enter state waters, the permittee shall promptly notify, in no case later than 24 hours, the Department by telephone after the discovery of the discharge. This notification shall provide all available details of the incident, including any adverse affects on aquatic life and the known number of fish killed. The permittee shall reduce the report to writing and shall submit it to the Department within five days of discovery of the discharge in accordance with Part II I 2. Unusual and extraordinary discharges include but are not limited to any discharge resulting from:

1. Unusual spillage of materials resulting directly or indirectly from processing operations;
2. Breakdown of processing or accessory equipment;
3. Failure or taking out of service some or all of the treatment works; and
4. Flooding or other acts of nature.

I. Reports of Noncompliance

The permittee shall report any noncompliance which may adversely affect state waters or may endanger public health.

1. An oral report shall be provided within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information which shall be reported within 24 hours under this paragraph:
 - a. Any unanticipated bypass; and
 - b. Any upset which causes a discharge to surface waters.
2. A written report shall be submitted within 5 days and shall contain:
 - a. A description of the noncompliance and its cause;
 - b. The period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and
 - c. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

The Board may waive the written report on a case-by-case basis for reports of noncompliance under Part II I if the oral report has been received within 24 hours and no adverse impact on state waters has been reported.

3. The permittee shall report all instances of noncompliance not reported under Parts II I 1 or 2, in writing, at the time the next monitoring reports are submitted. The reports shall contain the information listed in Part II I 2.

NOTE: The immediate (within 24 hours) reports required in Parts II G, H and I may be made to the Department's Regional Office at (434) 582-5120 (voice) or (434) 582-5125 (fax). For reports outside normal working hours, leave a message and this shall fulfill the immediate reporting requirement. For emergencies, the Virginia Department of Emergency Services maintains a 24 hour telephone service at 1-800-468-8892.

J. Notice of Planned Changes

1. The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:
 - a. The permittee plans alteration or addition to any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced:
 - (1) After promulgation of standards of performance under Section 306 of Clean Water Act which are applicable to such source; or
 - (2) After proposal of standards of performance in accordance with Section 306 of Clean Water Act which are applicable to such source, but only if the standards are promulgated in accordance with Section 306 within 120 days of their proposal;
 - b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations nor to notification requirements specified elsewhere in this permit; or
 - c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.
2. The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

K. Signatory Requirements

1. Applications. All permit applications shall be signed as follows:
 - a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
 - b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
 - c. For a municipality, state, federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a public agency includes: (i) The chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.
2. Reports, etc. All reports required by permits, and other information requested by the Board shall be signed by a person described in Part II K 1, or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - a. The authorization is made in writing by a person described in Part II K 1;

- b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.); and
 - c. The written authorization is submitted to the Department.
- 3. Changes to authorization. If an authorization under Part II K 2 is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part II K 2 shall be submitted to the Department prior to or together with any reports, or information to be signed by an authorized representative.
- 4. Certification. Any person signing a document under Parts II K 1 or 2 shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

L. Duty to Comply

The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the State Water Control Law and the Clean Water Act, except that noncompliance with certain provisions of this permit may constitute a violation of the State Water Control Law but not the Clean Water Act. Permit noncompliance is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the Clean Water Act within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if this permit has not yet been modified to incorporate the requirement.

M. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee shall apply for and obtain a new permit. All permittees with a currently effective permit shall submit a new application at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the Board. The Board shall not grant permission for applications to be submitted later than the expiration date of the existing permit.

N. Effect of a Permit

This permit does not convey any property rights in either real or personal property or any exclusive privileges, nor does it authorize any injury to private property or invasion of personal rights, or any infringement of federal, state or local law or regulations.

O. State Law

Nothing in this permit shall be construed to preclude the institution of any legal action under, or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any other state law or regulation or under authority preserved by Section 510 of the Clean Water Act. Except as provided in permit conditions on "bypassing" (Part II U), and "upset" (Part II V) nothing in this permit shall be construed to relieve the permittee from civil and criminal penalties for noncompliance.

P. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Sections 62.1-44.34:14 through 62.1-44.34:23 of the State Water Control Law.

Q. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes effective plant performance, adequate funding, adequate staffing, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

R. Disposal of solids or sludges

Solids, sludges or other pollutants removed in the course of treatment or management of pollutants shall be disposed of in a manner so as to prevent any pollutant from such materials from entering state waters.

S. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

T. Need to Halt or Reduce Activity not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

U. Bypass

1. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Parts II U 2 and U 3.
2. Notice
 - a. Anticipated bypass. If the permittee knows in advance of the need for a bypass, prior notice shall be submitted, if possible at least ten days before the date of the bypass.
 - b. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Part II I.
3. Prohibition of bypass.
 - a. Bypass is prohibited, and the Board may take enforcement action against a permittee for bypass, unless:

- (1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - (3) The permittee submitted notices as required under Part II U 2.
- b. The Board may approve an anticipated bypass, after considering its adverse effects, if the Board determines that it will meet the three conditions listed above in Part II U 3 a.

V. Upset

1. An upset constitutes an affirmative defense to an action brought for noncompliance with technology based permit effluent limitations if the requirements of Part II V 2 are met. A determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is not a final administrative action subject to judicial review.
2. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - a. An upset occurred and that the permittee can identify the cause(s) of the upset;
 - b. The permitted facility was at the time being properly operated;
 - c. The permittee submitted notice of the upset as required in Part II I; and
 - d. The permittee complied with any remedial measures required under Part II S.
3. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

W. Inspection and Entry

The permittee shall allow the Director, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act and the State Water Control Law, any substances or parameters at any location.

For purposes of this section, the time for inspection shall be deemed reasonable during regular business hours, and whenever the facility is discharging. Nothing contained herein shall make an inspection unreasonable during an emergency.

X. Permit Actions

Permits may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Y. Transfer of permits

1. Permits are not transferable to any person except after notice to the Department. Except as provided in Part II Y 2, a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued, or a minor modification made, to identify the new permittee and incorporate such other requirements as may be necessary under the State Water Control Law and the Clean Water Act.
2. As an alternative to transfers under Part II Y 1, this permit may be automatically transferred to a new permittee if:
 - a. The current permittee notifies the Department at least 30 days in advance of the proposed transfer of the title to the facility or property;
 - b. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and
 - c. The Board does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in Part II Y 2 b.

Z. Severability

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.